

All correspondence referring to announcements and subscription of Government Gazette must be addressed to its Administration office. Literary publications will be advertised free of charge provided two copies are offered.

Toda a correspondência relativa a anúncios e à assinatura do *Boletim Oficial* deve ser dirigida à Administração da Imprensa Nacional. As publicações literárias de que se receberem dois exemplares anunciam-se gratuitamente.



## SUBSCRIPTION RATES — ASSINATURA

	YEARLY (Annual)	HALF-YEARLY (Semestral)	QUARTERLY (Trimestral)
All 3 series (As 3 séries)	Rs. 40/-	Rs. 24/-	Rs. 18/-
I Series	Rs. 20/-	Rs. 12/-	Rs. 9/-
II Series	Rs. 16/-	Rs. 10/-	Rs. 8/-
III Series	Rs. 20/-	Rs. 12/-	Rs. 9/-

Postage is to be added when delivered by mail —  
Acréscce o porte quando remetido pelo correio

# GOVERNMENT GAZETTE

## BOLETIM OFICIAL

## GOVERNMENT OF INDIA

## MINISTRY OF INDUSTRIAL DEVELOPMENT

Internal Trade and Company Affairs  
(Department of Industrial Development)

## Notification

New Delhi, the 3rd April, 1969

No. 38/7/69-II(I): The following draft of certain rules further to amend the Explosives Rules, 1940, which the Central Government proposes to make in exercise of the powers conferred by Sections 5 and 7 of the Indian Explosives Act, 1884 (4 of 1884) is hereby published, as required by section 18 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after the 25th April, 1969.

Any objection or suggestion, which may be received from any person in respect of the said draft before the date so specified, will be considered by the Central Government.

## Draft Rules

1. The rules may be called the Explosive (Amendment) Rule, 1969.

2. In the Explosives Rules, 1940, in Schedule IV, in the entries against Article no. 10, in column 4, after the existing entries, the following entry shall be added, namely:—

“All Sub-Divisional Magistrates in the State of Uttar Pradesh”.

A. P. SARWN

Deputy Secretary to the Govt. of India

## GOVERNMENT OF GOA, DAMAN AND DIU

Home Department 'A'

## Notification

HD-25-2764/69-A

The following draft amendment which is proposed to be made to the Goa, Daman and Diu Motor Vehicles Rules, 1965 is hereby pre-published as required by Section 133 of the Motor Vehicles Act, 1939 for information of the persons likely to be affected thereby and notice is hereby given that the said draft amendment will be taken into consideration by the Govt. on the expiry of one month from the date of this publication in Govt. Gazette. All objections and suggestions to the draft amendment may be forwarded to the Under Secretary to the Govt. of Goa, Daman and Diu, Home Department, Secretariat, Panaji before the expiry of one month from the date of the publication of this Notification in the Govt. Gazette.

## DRAFT AMENDMENT

In exercise of the powers conferred by Section 21 of the Motor Vehicles Act, 1939, as extended to the Union Territory of Goa, Daman and Diu and all other powers enabling him in that behalf the Lt. Governor of Goa, Daman and Diu hereby makes the following rules so as to amend further, the Goa, Daman and Diu Motor Vehicles Rules, 1965, namely—

## 1. Short title and commencement:—

(1) These rules may be called the Goa, Daman and Diu Motor Vehicles (Nineth Amendment) Rules, 1969.

(2) They shall come into force at once.

## 2. Amendment of First Schedule: —

For the existing First Schedule to the Goa, Daman and Diu Motor Vehicles Rules, 1965 the following shall be substituted, namely: —

"The First Schedule Registration marks to be assigned by the Registering Authorities for Goa, Daman and Diu.

Registration marks to be assigned to the various classes of vehicles shall be as under: —

Registration Mark	Class of Vehicles to which applicable
GDA	Vehicles other than transport vehicles.
GDB	
GDL	
GDT	Transport Vehicles.
GDS	
GDM	Vehicles in the possession of dealers or manufacturers having trade certificates.
GDR	Vehicles registered temporarily".

By order and in the name of the Lt. Governor of Goa, Daman and Diu.

S. B. Deshpande, Under Secretary, Home Department.

Panaji, 23rd April, 1969.

3rd Vaisakha, 1891.

## Finance Department

### Notification

Fin(Rev)/2-36/AR/1/718/69

In exercise of the powers conferred by the first proviso to Sub-section (1) of Section 7 of the Goa, Daman and Diu Sales Tax Act, 1964, the Government is pleased to make the following amendment to the entry in the First Schedule appended to the said Act namely: —

In entry No. 35, the words "sanitary goods and fittings" shall be substituted by "sanitary fittings (other than pipes)".

This Notification shall come into force with effect from 1-4-1969.

By order and in the name of the Administrator of Goa, Daman and Diu.

V. S. Srinivasagopalan, Finance Secretary.

Panaji, 19th April, 1969.

29th Chaitra, 1891 (Saka).

## Revenue Department

### Notification

RD/EST/57/69

Whereas it is necessary to fix special charges for temporary occupation of Government land for provisional construction of barracks, small shops, petrol pumps or other similar occupations;

And Whereas the existing rates fixed under Portaria No. 3524, dated 26-9-1940 as amended by Portaria No. 6033, dated 29-4-1954, do not seem to be reasonable, the value of land having since increased considerably.

Now Therefore in exercise of the powers conferred by clause 2 of the Goa, Daman and Diu (Administration) Removal of Difficulties Order, 1962, and all other powers enabling me in this behalf, I, Nakul Sen, Administrator of Goa, Daman and Diu hereby direct that, notwithstanding anything contained in Portaria No. 3524, dated 26-9-1940 and Portaria No. 6033, dated 29-4-1954, the yearly rent for temporary occupation of Government land for construction of barracks, small shops, petrol pumps or such other similar occupations be assessed at 5% of the market value of the site at the time of leasing the land or renewing the existing leases.

Nakul Sen  
Administrator

Panaji, 22nd April, 1969.

2 Vaisakha, 1891 (Saka).

### Notification

LSG/1283/SW/68

With a view to ameliorating the living conditions of people belonging to Scheduled Castes and Scheduled Tribes in Goa, Daman and Diu whose economic conditions do not permit them to have proper housing facilities, the Administrator of Goa, Daman and Diu is pleased to sanction the following scheme of assistance to persons belonging to Scheduled Castes and Scheduled Tribes for construction of houses, under Delegation of Financial Power Rules, 1958: —

#### The Scheme:

1. The persons willing to get the advantage of the scheme should submit an application to the Mamlatdar of the respective Taluka.

2. The Mamlatdar shall forward the application so received to the Collector, Goa, along with his comments.

3. The Collector shall scrutinise the application and comments of the Mamlatdar and submit his proposal to the Government for decision.

4. Persons belonging to Scheduled Castes and Scheduled Tribes only and holding title to the land on which the house is to be built shall be eligible to the benefits of this Scheme.

5. Every eligible person belonging to Scheduled Castes or Scheduled Tribes shall be granted a subsidy not exceeding Rs. 1200/- for construction of his house. In case free timber is provided from Government Forests, the subsidy shall be reduced to the extent of the cost of free timber supplied, as assessed by the Forest Department.

6. The subsidy shall be granted in 3 equal instalments, as under: —

(a) First instalment shall be paid immediately.

(b) The second instalment shall be paid on production of vouchers for purchase of material required for the construction of house. The value of material so purchased shall be less than the value of the first instalment.

(c) The third instalment shall be paid as under:

- (i) The cost of timber, if any, supplied by the Forest Department shall be deducted from the third instalment and if the cost of timber exceeds the amount of this final instalment, the excess shall be recovered from the beneficiary in cash.
- (ii) The last instalment shall be released after the production of a certificate from the Mamlatdar to the effect that the value of work done is not less than the value of the subsidy granted.

7. The construction of house shall be according to the type plan approved by the Collector who may, where necessary, call upon the P.W.D. to scrutinise the plan from the technical point of view.

Provided that the minimum accommodation to be provided in each house should have a floor area of 220 sq. ft. consisting of a living room, a multipurpose room (or a kitchen and a verandah) and a store. Out of this, 120 sq. ft. may be for the living room and the remaining 100 sq. ft. for the multipurpose room (or kitchen and a verandah) and the store. In addition, a bathing platform and a cheap sanitary latrine may be provided wherever feasible.

8. The construction of the house shall have to be completed by the beneficiary within the time limit stipulated in the order sanctioning the subsidy. The time limit may be extended in genuine cases by the Collector, for which an application will have to be submitted to him by the beneficiary before the expiry of prescribed time limit.

9. The beneficiary may make changes in the approved plan after obtaining previous approval of the Collector.

10. The beneficiary shall invest an amount equivalent to at least 25% of the total cost of the construction of the house either in cash or kind or labour. The fact that such contribution has been made by the beneficiary shall be verified and certified by the Mamlatdar, before the final instalment of the subsidy is sanctioned.

11. The beneficiary shall construct the house for which subsidy is granted on a plot of land approved by the Collector.

12. The expenditure on account of the above subsidy shall be debited to the Budget Head «39 — Misc. Social and Developmental Organisation F.7 — Subsidy for housing for Backward Classes (Plan)».

By order and in the name of the Administrator of Goa, Daman and Diu.

W. G. Ranadive, Secretary (Revenue).

Panaji, 22nd April, 1969.

2 Vaisakha, 1891.

## Law and Judicial Department

### Notification

LD/2/113/68-N-95-69

In exercise of the powers conferred by clause (10) of section 59 of the Prisons Act, 1894 (IX of 1894), and of all other powers enabling him in that behalf and in supersession of the rules relating to staff functions in force in any part of the Union Territory of Goa, Daman and Diu, the Lieutenant Governor of Goa, Daman and Diu, hereby makes the following rules, namely:—

1. **Short title and commencement.**— (1) These Rules may be called the Goa, Daman and Diu Prisons (Staff Functions) Rules, 1969.

(2) They shall come into force on the 1st day of June, 1969.

2. **Communications between the State Government and officers of prison.**— Subject to the provisions of this rule and of rules 22 and 24 of the Goa, Daman and Diu Prisons (Facilities to Prisoners) Rules, 1968 all communications between officers of prison and the State Government shall be made through the Inspector General provided that—

(i) proposals for the transfer of a prisoner to a mental hospital,

(ii) hunger strike reports,

(iii) petitions of prisoners for pardon or shortening of sentence submitted under rule 2 of the Goa, Daman and Diu Prisons (Petition and Appeal) Rules, 1968,

(iv) copies of reports referred to in rule 39 (iv) of the Goa, Daman and Diu Prisons (Discipline) Rules 1968 regarding important happenings in prison such as escape of a prisoner from custody, suicide or attempt to commit suicide, fire riots and

(v) any report called for by Government by any special or general order,

shall be forwarded direct to the State Government.

3. **Inspector-General competent to entertain temporary extra establishment.**— The Inspector-General may, in case of urgent necessity, sanction the employment of an additional temporary establishment under the powers delegated to him as indicated by any specific orders of Government, provided that sufficient budget provision exists or the expenditure for the additional establishment is met by reappropriation:

Provided further that such additional establishment shall not be continued beyond a period of one year without the sanction of the State Government.

4. **Inspector-General to be controlling authority for expenditure of prisons.**— Subject to the Accounts and Financial Rules for the time being in force, the Inspector-General shall exercise full and general control over all expenditure of a prison for which provision has been made in the budget:

Provided that expenditure incurred on—

(a) constructions and repairs,

(b) supply of stationery, and

(c) supply of medical stores,

shall be regulated in accordance with the rules made in that behalf by the State Government.

**5. Inspector-General to audit all bills.** — Subject to the provisions of the foregoing rules, all monthly and other bills for prison expenses shall be submitted to, and audited by, the Inspector-General.

**6. Powers of Inspector-General to sanction expenditure.** — The Inspector-General may sanction —

(1) any item of expenditure approved and provided for in the budget,

(2) with the sanction of the State Government, any special and unusual item of expenditure for which no distinct provision has been made in the budget.

**7. Administration report of prisons.** — The Inspector-General shall submit annually to the State Government, before the 15th April, a detailed report of the working of prisons during the preceding calendar year in such form as the State Government may direct.

**8. Inspector General competent to release material to Press for publication.** — The Inspector General may furnish material for publicity direct to the Department of Information and Tourism and may confirm or refute reports published in newspapers when approached by press representatives direct, informing Government and the Department of Information and Tourism of such confirmation or refutation.

**9. Inspection of prisons by Inspector-General.** —

(1) The Inspector-General shall inspect Central prison once a year, and every other at least once every three years. In addition to these regular inspections, he may also inspect any prison if he considers that there is any special reason for doing so. He may also visit any prison without notice for inspection.

(2) The Inspector-General shall also occasionally inspect jails to enable him to be in touch with the general trend of administration therein.

(3) During regular inspection, the Inspector-General shall, *inter alia*, —

(a) inspect all yards, wards, cells, work-sheds, store-rooms, kitchens and latrines, note their state of repair, their sanitary condition, the general security of the prison and consider whether the structural arrangements are in compliance with the requirements of the Act with respect to the separation of the different classes of prisoners;

(b) examine the garden, ascertain the condition of water-supply and conservancy arrangements, see that sick prisoners are carefully attended to, and ascertain that the food is of proper quality and quantity;

(c) personally visit every prisoner, make a note of any circumstances of consequence connected with his physical condition, adaptation of labour to his physique and class, condition and sufficiency of clothing; imposition of fetters, ascertain whether the provisions of the rules for granting remission, furlough or parole are carried into effect, afford to a prisoner who so desires a reasonable opportunity of making

any application or complaint and investigate and pass orders on matters relating to prison discipline;

(d) inspect the guarding establishment and satisfy himself as to its proficiency in drill and musketry, inspect its arms and ammunition and test the ability of every prison executive officer of the upper subordinate establishment to drill the guard, closely scrutinise the arrangements for carrying out day and night watch and ward, and for the prevention and suppression of riots, and satisfy himself that the stationing of Jail guards and convict officers is according to rules made in that behalf and effective;

(e) compare with the rates obtained in the local markets the rate paid for contingent purposes and satisfy himself that economy is practised in their use as well as in the use of all articles supplied by contract;

(f) satisfy himself that all accounts and registers are maintained according to the rules for the time being in force, that proper arrangements are made for the safe custody of all records, and that the requirements of the Act and these rules are complied with;

(g) see that accommodation is ample and that no over-crowding exists;

(h) satisfy himself as to the general health of the prisoners;

(i) examine the cases of youthful offenders to see if any of them may be transferred to a Borstal School, or reformatory.

(4) The Inspector-General shall make a memorandum of his inspection, discuss the points raised therein as far as possible with the Superintendent, and shall hand it over to the Superintendent for compliance, and shall, on his next inspection visit, verify whether and how far the instructions given in the memorandum are complied with.

## SUPERINTENDENT

**10. Superintendent not to leave head-quarters without previous permission of Inspector-General.** —

(1) Subject to the provisions of sub-rule (2), a Superintendent shall not leave the headquarters or hand over the charge of the prison to any person for a period exceeding twenty-four hours without having obtained the previous sanction of the Inspector-General who may permit him to hand over the charge of his duties to the Senior Jailer or to the seniormost member of the staff.

(2) The Superintendent may, in case of emergency, proceed on leave in anticipation of sanction under intimation to the Inspector-General.

**11. Handing over of charge.** — Where a Superintendent is transferred or where he is proceeding on long leave, the relieving officer shall, before taking over the charge, satisfy himself personally that the cash balances, permanent advance and accounts are correct. He shall also satisfy himself through the officers concerned that all stocks (both general, and manufactory), machinery, plants and tools shown in the accounts to be in stock are forthcoming, that the registers have been maintained up-to-date and that sanction has been obtained for all the establishment employed, and shall submit report in that behalf to the Inspector-General. The responsibility of the relieved officer shall not cease till this is done. The relieved officer shall also acquaint the reliever in

writing with essential and instructive facts and problems of the Prison.

**12. Functions and duties of Superintendent.** — The Superintendent shall —

(1) be present whenever a capital punishment is executed;

(2) see that all prisoners in the prison are counted once a month, but not always on a fixed day, or at the same hour, and shall personally ascertain and satisfy himself that all prisoners who ought to be in the prison are actually there;

(3) visit the prison and especially prisoners in cells and solitary confinement at least once every working day shortly after sunrise and in any case before 10 a. m. and also on Sundays and holidays, if necessary;

(4) visit the prison hospital frequently, and see that proper arrangements are made for the safe custody of the sick prisoners and others, and that discipline is maintained, as far as it is consistent with the medical treatment prescribed;

(5) inspect the barracks, yards, cells, cook-rooms, latrines, and every part of the prison once a week on any day and shall also occasionally inspect the quarters of the subordinate officers, preferably in the presence of the officer concerned. He shall also frequently visit the prison garden to see that the vegetables supplied to the prisoners are perfectly fresh and wholesome;

(6) invariably visit the women's prison or women's section of the prison every day at some convenient times, and see whether there is any complaint from any female prisoner. He shall keep a record of such visit in the Gate Register as in Form I of the women's prison or as the case may be, of the women's section of the prison and shall note the time of his visit and instructions, if any, in Superintendent's Order Book as in Form 11;

*Explanation.* — A Gate Register shall be maintained for the women's prison or as the case may be for the women's section of the prison and enquiries in respect of every visit paid to such prison or section by any person other than the women Jail officials on duty, shall be recorded therein.

(7) hold inspection parade of all prisoners in the prison either in one lot or in suitable batches in such a way that every prisoner at least once a week, gets an opportunity of putting up personally to the Superintendent any grievance or complaint about assault, or ill-treatment, or any request for additional interviews, or letters under rule 6 of the Goa, Daman and Diu Prisons (Facilities to Prisoners) Rules, 1968;

*Explanation.* — Every prisoner shall have his clothing, bedding and equipment arranged in line before him at this parade. Nothing in this rule shall debar a prisoner from making a complaint or application to the Superintendent at any time otherwise than on the occasion of the weekly parade. It shall be the duty of every executive officer or Jail guard to produce before the Superintendent without unnecessary delay any prisoner desiring to see the Superintendent:

Provided that the Senior Jailor or the Jailor in charge of the Circle or yard may for sufficient

reason abstain from so producing the prisoner before the Superintendent, but shall as soon as possible inform the Superintendent of his having done so.

(8) on the outbreak of cholera or of any epidemic disease, at once submit a report to the Inspector General, the District Magistrate and the Director of Public Health and shall forward a daily report so long as the disease prevails amongst the prisoners;

(9) require every necessary precaution to be taken for preventing escape and shall cause a daily examination to be made of the doors, windows, bars and bolts and withdraw from use any locks, the keys of which have been lost, mislaid or tampered with;

(10) ensure the highest possible degree of cleanliness in every part of the prison and also with respect to the persons of the prisoners, their clothing, bedding and eating utensils;

(11) take, as far as possible, surprise rounds at odd intervals to the different parts of the prison;

(12) cause to be affixed in a conspicuous place near the prison gate a notice to be printed in legible characters in English and in the regional language cautioning persons from bringing or attempting to bring spirits, opium, tobacco, letters or other prohibited articles into the prison or giving or attempting to give such articles to prisoners outside the prison; and notify in a similar manner that no person other than an officer or a visitor of the prison shall communicate or attempt to communicate, with a prisoner by word of mouth or otherwise except with his permission in writing transmitted through an officer;

(13) receive and enquire into a complaint or an application from a person officer or a prisoner;

(14) before passing a demand or an indent or submitting it to the Inspector-General, where his sanction is required, carefully examine it and see that every department of the prison is run with utmost economy;

(15) see that no article for use in the prison is purchased unless full details thereof have been entered in the Requisition Book as in Form III, and the entries are initialled by the concerned official and by himself;

(16) see that all expenditure on account of the prison is met either from the permanent advance or money drawn on abstract bills from the Treasury and not from any private funds and shall not allow borrowing or lending from one head to another in the prison accounts unless supported by valid reasons to be recorded by him in Superintendent's Order Book as in Form II;

(17) be personally responsible for the prompt payment of bills for goods supplied to the prison, and shall see that small cash payment to local suppliers are made by sending money with a reliable Jail Guard, payments of Rs. 100 and above being made by Abstract Bill or Remittance Transfer Receipt;

(18) ensure that detailed bills submitted to the Inspector General contain every item of expenditure incurred during the month, and no payment is as far as possible, left to be adjusted or charged for in subsequent months;

(19) prescribe in Superintendent's Order Book as in Form II the different duties which shall be per-

formed by every junior Jailer, care being taken to see that he is allotted a fair share of the work and that those portions of the work which he is most suited for are assigned to him as far as possible and that every jailor is given an opportunity to learn the duties of the Senior Jailer;

*Explanation.* — Duties shall be allotted to a Jailer in such a way that he is put in charge of not more than 250 prisoners as far as possible.

(20) cause a notice to be posted outside the prison, in English and in the regional language, that the prison authorities shall not be responsible for payment for any article supplied to the prison unless supplied on the written orders of the Superintendent, or any officer of prison specially empowered in that behalf.

*Explanation 1.* — The Superintendent only shall be competent to grant receipts for money paid to the prison for goods purchased from it, and no receipts other than temporary receipts granted by any other officer of prison shall be regarded as valid.

2. Temporary receipts as in Form IV may be signed either by the Jailer, Accountant or Head Clerk and regular receipts shall be signed by the Superintendent in his next visit to the prison and sent to the party concerned.

(21) satisfy himself, once a month that all money given to the Accountants to charge, for the purchase of articles required for the prison has been properly disposed of and duly accounted for, and that all money transactions connected with the prison factories have been brought to account;

(22) satisfy himself, at least once a month, that the term of credit allowed to purchasers of articles from prison factory, garden, or dairy is on no account exceeded and also see that at the time of purchase of such articles, full name, rank and residence of purchaser is entered in the books and that except in the case of well known persons to whom credit may be allowed for a period not exceeding three months, no credit sale is allowed;

(23) keep a constant and careful watch over the receipts and expenditure in the prison;

(24) inspect his own office once a year in the month of June in the prescribed manner, examine and answer, in his own hand, all points of inspection, without assigning this work to a subordinate officer and pay personal attention to rectify the defects pointed out in inspection and audit reports;

(25) be free to communicate with the Inspector General in all matters relating to the prison and apprise him of every occurrence of importance:

Provided that in the case of any emergency for which no provision has been made in these rules, the Superintendent shall take the orders of the Inspector General and shall in the meantime take such action, as he considers necessary and adequate in the circumstances;

(26) notify to the police the information, if any, received by him about the previous conviction of a prisoner;

(27) in the event of an accident resulting in an injury to a prisoner or a member of the staff on duty, hold an enquiry immediately and record the

statements of the injured prisoner or member of the staff and other witnesses and in case of injury to a prisoner, specify in the monthly return of such prisoner, the nature and cause of the injury, and state that an enquiry was held;

(28) make himself thoroughly acquainted with the Act, and rules, regulations and orders relating to the prison, and be responsible for the due observance thereof and for the execution of all sentences of prisoners committed to his charge.

**13. Functions and Duties of Assistant Superintendent.** — The Assistant Superintendent shall perform such of the functions of the Superintendent as the Inspector General of Prisons may by order direct. He shall be under the direct control of the Superintendent.

### SENIOR JAILOR

**14. Duties of Senior Jailer.** — The Senior Jailer shall —

(1) ensure safe custody of prisoners;

(2) enforce discipline among subordinate officers and among prisoners;

(3) frequently visit the extra-mural working parties and shall record each such visit in the Jailer's Report Book as in Form No. V;

(4) report to the Superintendent cases in which disciplinary action for any misconduct on the part of a prisoner or a subordinate officer may be necessary;

(5) see that no ladder, planks, ropes, chains, implements, or materials of any kind, likely to facilitate escape, are left unnecessarily or are inadvertently exposed or without surveillance at any time in the yards and that all such articles as well as tools of all kinds when not in use are kept in their appointed places.

(6) see that no rubbish is piled against any wall or allowed to remain in the yards and that all sillage water is immediately removed;

(7) enforce the greatest economy, give particular attention to all matters connected with the management of the prison, and bring to the notice of the Superintendent circumstances which may require his attention for checking unnecessary expenditure;

(8) without delay, report to the Superintendent any fact or circumstances likely to affect the security of the prison and the health and discipline of the prisoners; and also bring to the notice of the Superintendent any fact or circumstance likely to affect the efficiency of any subordinate member of the establishment;

(9) see that a list of prisoners sentenced to cellular confinement is forwarded to the Medical Officer daily whenever prisoners are sentenced to such confinement;

(10) where there is no Agricultural Officer, be in charge of prison garden and be responsible for its proper maintenance and for ensuring a regular and economic supply of vegetables throughout the year, as far as may be possible;

(11) subject to any orders of the Superintendent, assign from time to time to each of the Jail guards



both inside and outside the prison wall appropriate duties in respect of the prison or prisoners either in the matter of guarding or otherwise;

(12) frequently inspect every part of the prison, especially cells and see that they are clean and in order and that their security is effective and search or cause the prisoners to be searched at uncertain times, not less than once a week, and examine their clothing, bedding and see that they are in order and that no prohibited articles are hidden in the prison or possessed by any prisoner; and record the date, time and description of the barracks and cells searched, in the Jailor's Report Book.

(13) visit all wards at least once a week and record such visits in his Report Book;

(14) muster the prisoners in suitable batches and shall certify in the Jailor's Report Book —

(i) that the fetters of every prisoner in irons are secure and clean;

(ii) that every prisoner in irons has, if necessary, a pair of leather gaiters;

(iii) that every prisoner has his body — and history ticket;

(iv) that every prisoner has his authorised quantity of clothing and bedding and that they are clean and in good order;

(v) that he has read to prisoners the rules for rewards for good conduct; for granting remission and for punishments for commission of prison offences;

(vi) that all barracks and cells have been inspected daily during the week and found in order.

**15. Duties to be performed by Jailor in absence of Senior Jailor.** — In the absence of the Senior Jailor or in prisons where there is only one Jailor, the duties of the Senior Jailor under these rules shall be performed by such Jailor as the Superintendent may direct or as the case may be, by the only Jailor.

**16. Duties of Jailors.** — In addition to the duties entrusted to him by the Superintendent, a Jailor shall attend to all complaints and requests of all prisoners put in his charge and shall see that the daily routine is carried out satisfactorily by such prisoners. He shall personally supervise the work of distribution of cooked food and extra diets recommended by the Medical Officer to prisoners in his charge.

**17. Duties of Junior Jailor to be performed by other officials etc.** — In the absence of a Junior Jailor or where there is no junior jailor, his functions shall be performed by any other responsible official nominated for the purpose by the Superintendent with the previous consent of the Inspector General of Prisons in writing.

**18. Duties of Orderly Officer for day.** — (1) The Orderly Officer for day shall be on duty between the two main gates of a prison from the time at which the prison opens until it is locked.

(2) It shall be the duty of the Orderly Officer for the day, —

(a) to supervise and control all happenings between the two gates of the prison;

(b) to ensure that entry is made by the Gate-keeper in the Gate Register as in Form No. 1 of anything carried in or out of the prison, of persons entering and leaving the prison and of vehicles coming in or going out of the prison specifying the time of such ingress or regress;

(c) to maintain in the Orderly Officer's Diary as in Form VI a brief record of all important events such as, visits of persons to the prison, accidents occurring in the prison, searches made under sections 21 and 41 and emergencies and any other important incident occurring in the prison;

(d) to notify the existence of an emergency to the prison staff by sounding alarm;

(e) to control personally in an emergency, all necessary operations at the prison gates;

(f) to receive and take necessary action on reports submitted by prison guard relating to the opening and closing of the prison;

(g) to supervise searches of prisoners and of members of the sub-ordinate staff of prison;

(h) to communicate to the Head guard, the orders issued by the Senior Jailor regarding the posting of prison guards to various duty posts;

(i) to receive members of the Board of Visitors for prison constituted under rule 3 of the Maharashtra Visitors of Prisons Rules, 1962, and arrange for their escort;

(j) to receive prisoners admitted to prison and to arrange for the delivery of their warrants, money and other articles to the jailor in charge of judicial work or to the Senior Jailor;

(k) to report to the Senior Jailor deficiencies in the order committing a prisoner to custody and discrepancies, if any, in the identification marks of prisoners; and

(l) to verify whether a prisoner admitted into prison has any wounds, or marks of violence on his person and, if so, to report the same to the Superintendent.

**19. Duties of Orderly Officer for night.** — The Orderly Officer for night shall be on duty between the two main gates of the prison from the time the prison is locked until it is opened.

(2) It shall be the duty of the Orderly Officer for night —

(a) to supervise and control arrangements for the security and safe custody of prisoners;

(b) to visit guard posts at least thrice during night (one such visit shall necessarily be after mid-night).

(c) to make an entry in the Night Report Book as in Form No. VIII of the guard posts visited by him, and the time at which such visits were made;

(d) to record in the Orderly Officer's Dairy, the night visits made by Prison Officials during night time;

(e) to open a barrack or cell during night in case of emergency;

(f) to report to the Superintendent of the existence of emergency and to record the same in the Orderly Officer's Dairy;

(g) to arrange for the escort and conveyance of sick prisoners who are to be transferred to the local

Civil or Government aided hospital on the advice of the Medical Officer; and

(h) to perform all or any of the duties specified in sub-rule (2) of rule 19 in cases of emergencies.

20. The diary of the Orderly Officer for day and for night shall be daily checked and signed by the Senior Jailor.

21. **Duties of Women Jailors.**— A woman Jailor shall be in charge of the women's section of the prison and shall work under the direct supervision of the Superintendent. She shall perform all the duties of the Senior Jailor and junior jailor mentioned in these rules so far as the women's section of the prison is concerned. It shall be her duty to see that either she herself or a woman guard is present right from the time of the opening of the prison till the time of lock-up, and to ensure that no unauthorised person enters the women's section of the prison. She shall always accompany inside the Prison the Superintendent, the Asst. Superintendent, the Medical Officer or any authorised visitors visiting the Women's section of the prison. In times of emergency, she shall immediately contact the next higher officer who is available and obtain his orders.

22. **Changes in duties and posts of Prison Guards.**— The posts and duties of Prison Guards may be changed every week:

Provided that the Superintendent may continue the guards working in prison store, garden, factory or kitchen for a period not exceeding three months in their respective posts.

23. **Responsibility of guard in charge of work-shed.**— A prison guard in charge of work sheds shall be responsible for all the tools and other property kept therein.

24. **Duties and responsibilities of Prison Guards.**— It shall be the duty of the Prison Guard—

(1) to stand or walk whilst on patrol duty and on no account to take off the belt or lie down whilst on duty;

(2) to keep his uniform and equipment in good order;

(3) to keep a list of tools delivered to prisoners proceeding to work in the morning;

(4) to count, examine, and return the tools into store, and report any deficiency, immediately to the Jailor in the evening;

(5) to report any defect in locks, bolts or bars, and any tampering with these articles or keys in his charge;

(6) to keep all keys entrusted to him on his person, and to leave them lying about;

(7) to treat prisoners with humanity and bring their complaints and grievances to the notice of his immediate superiors without delay;

(8) to bring to the notice of the Superintendent, and the Medical Officer any signs of sickness among prisoners in his charge;

(9) to report to the Jailor if an uncomplaining prisoner appears to be passing into a failing state

of health, or if a prisoner's state of mind, appears, in his opinion, to be weak and uncertain;

(10) to search all prisoners in his gang at the time of giving and taking over charge of such prisoners and at such other times during his watch as may be necessary and to report the discovery of any prohibited articles found with any of the prisoners in his charge or on his beat;

(11) to report any case of wilful damage to prison property;

(12) to prepare prisoners entrusted to his charge for counting and for parade, and to see that each prisoner comes to his place in proper order, behaves well, and keeps silent;

(13) to report immediately to the jailor the fact of any prisoner missing from his charge;

(14) to count the prisoners made over to him and to declare the number to the officer distributing the prisoners;

(15) to count prisoners in his charge at least twice during his turn of duty; and to satisfy himself that he has the correct number in his custody;

(16) to report all cases of idleness and short work among prisoners entrusted to him and supposed to work;

(17) to see that any prisoner who is required to leave the gang for any legitimate purpose is made over to the charge of a responsible prison official for such purpose;

(18) to see to the cleanliness of the persons, clothing, bedding, rings, fetters and eating utensils of the prisoners in his charge, and to see that the prisoners bathe only at the appointed time and place and that the bedding is aired according to orders;

(19) to report any plot for escape, assault, outbreak or for obtaining prohibited articles that may come to his knowledge;

(20) to report breach of any prison rules.

25. **Relieved Prison Guard to explain his duties to the Relieving Guard.**— A Prison Guard shall, before being relieved, explain his duties to the relieving guard and they (i.e. both relieving and relieved prison guard) shall jointly examine all the fastenings in their charge and shall count the prisoners. The responsibility of a prison guard on duty shall not cease until he is properly relieved.

26. **Matron in immediate charge of women prisoners.**— Subject to the general control of the Superintendent, the Matron and the woman Jailor, if there be no Matron, shall have immediate charge of the women prisoners in the prison.

27. **Matron's duties to be discharged by women convict officers.**— In the absence of the woman Jailor if there be one and the Matron, a woman Convict Officer appointed for the purpose shall carry on the duties of the woman Jailor or the Matron, as the case may be, or of both.

28. **Matron to attend on women prisoners given separate confinement.**— Where a woman prisoner is imprisoned in the female enclosure, the Matron or the woman Convict Officer shall always



be present in the enclosure during the day time with the sell key in her possession to attend to the prisoner's wants and to keep her under observation.

**29. Matron to ensure removal of women prisoner punished with cellular confinement.**—Where a woman prisoner is punished with cellular confinement, the Matron shall remove such prisoner from her cell to an association barrack before lock-up.

### GUARD WITH ARMS

**30. Superintendent to make rules for guidance of Armed Guards.**—The Superintendent of Central Prison shall with the approval of the Inspector-General draw up subsidiary rules for the guidance of the guards with arms to meet local requirements, giving the distribution of such guards and the number and position of the sentries, and defining the details of their beats. A copy of such rules translated into regional language and signed by the Superintendent, shall be hung up in the guard room.

**31. Guard with arms not to take part in daily routine of prison.**—A guard with arms, shall not take part in the daily routine of the prison or assist in the searching or counting of prisoners. He shall, as far as may be possible, be kept away from coming into close contact with the prisoners.

**32. Change of Sentries and contingent of armed guards.**—The contingent of armed guards may be changed every 24 hours. The sentries shall be changed by the guard commander every two hours. The guard commander shall see that the sentry relieved passes the orders of his post to his reliever.

**33. Ammunition to be possessed by armed guards on duty.**—(1) The guard on sentry duty shall carry with him 10 loose live rounds of ammunition to his pouch keeping the pouch unbuttoned.

(2) Where a sentry is being relieved of his duty, he shall pass on his loose live rounds of ammunition to the sentry relieving him from duty in exchange of the two ammunition clips of 5 rounds each in the possession of the guard relieving him from his sentry duty.

(3) Where a section on guard duty is being relieved of its sentry duty all the ammunition in its possessions shall be handed over to the relieving section of guards. The officer mounting the guard shall be personally responsible for the correct handing over and taking over of the live ammunition by the two guard commanders.

(4) No sentry on guard duty shall carry his fire-arm loaded at any time unless he is explicitly ordered to do so.

**34. Conditions to be observed by Sentry and Guard Commander.**—(1) The sentry and the guard commander shall on no account leave their post, without being properly relieved.

(2) In case of sudden illness proper report shall be made by the guard commander or his second in Command to the Jailor for necessary relief.

(3) The sentry on duty shall hold no conversation whatsoever with any one. In the case of require-

ment of such a conversation the guard commander shall himself do the same.

(4) A guard on sentry duty seeing a prisoner attempting to escape shall at once raise the alarm by blowing a continuous short sharp blast with his whistle.

**35. Duties of the guard on Sentry duty.**—(1) A Guard on sentry duty shall firmly enforce the order given to him without any discrimination.

(2) It shall be the duty of every guard sentry on duty to protect at all costs the stores, arms, ammunition and Government property entrusted to his charge.

**36. Fire arms to be kept in Guard Room when not in use.**—The firearms of the guard shall always have the bayonet fixed, and shall remain in the guard room when not in use.

**37. Guard on Sentry duty to be always in uniform.**—No guard on sentry duty shall on any account take off his clothing or equipment.

**38. Guard Commander not to leave his command unless relieved.**—(1) The guard commander shall not leave his command unless duly relieved. When duly relieved, he shall do so after handing over his charge to the next senior guard in charge.

(2) It shall be duty of the guard commander to see that no guard leaves the guard room or his beat, if on sentry duty, without proper leave or unless he is duly relieved.

**39. Relief of sentries for lunch.**—The Guard commander shall arrange the duties of the sentries in such a way that those who are unable to arrange for bringing their food to the guard room shall not be on duty between the hours of 9.00 a.m. to 1.30 p.m. and shall see that not more than 1/3rd of the strength of the guards is let off at one and the same time.

**40. Guards on duty not to communicate with any person.**—The guard commander and the guards on duty shall not have any communication with any person unless such communication is required to be carried out as a part of their duty.

**41. Duties of armed guards.**—The armed guard shall resist by force all attempts made to break into or out of any part of the prison, and shall aid the authority in the suppression of violence or opposition of any kind, when called upon to do so.

**42. Guard to act on general alarm.**—In the event of a general alarm being sounded for an attempt to break out of the prison, the prison guard shall immediately fall in, load and act in accordance with the rules framed for the purpose.

The guard commander of the prison guard shall at once report to the Senior Officer present on the spot for further orders. If however the prisoners assault the prison officers or subordinates or if they attempt to break out of any particular ward or yard, and if any executive officer present or the guard commander, considers that it would be dangerous to delay until the arrival of the Senior prison officer, he shall proceed to rescue the prison officer and

other subordinate officers and prevent the prisoners from breaking out.

**43. Guard Commander to check sentry post twice during night.** — The Guard Commander shall check all the sentry posts twice during the night.

### GATE-KEEPER

**44. Duties of Gate-keeper.** — (1) In every prison, a senior jail guard shall be detailed in rotation to perform the duties at the prison gate. The person so selected shall be able to read and write well.

(2) The gate keeper shall —

(i) be in charge of the main gate of the prison and shall never under any pretext, leave his post till relieved by another jail guard;

(ii) retain charge of the keys of the prison gates during the day and night, and deliver them to the care of the Senior Jailor;

(iii) see that the main electric light and alarm switch, if any, are in working order;

(iv) maintain the population board at the gate every morning up-to-date;

(v) report immediately to the Medical Officer the fact of admission of any new prisoners; and

(vi) not to allow any unauthorised person to enter the gate.

**45. Duties of gate keepers when passing articles out of prison.** — (1) Where any articles are to be sent out of the prison by means of head load or cart load or by any other means, they shall be so loaded in the presence of a responsible executive officer or technical assistant concerned. Such loads shall be accompanied with a pass giving the contents of the load. The executive officer of technical assistant concerned shall sign the pass.

(2) The pass shall be handed over at the gate to the gate keeper who shall, in case of doubt, satisfy himself that the contents mentioned in the pass and the load tally, before allowing the load to go out of the gate.

(3) Any load not accompanied by a pass shall not be allowed to pass out of the gate.

(4) All passes so received at the gate including those for articles brought in the prison as well as passes in respect of admission of persons shall be pasted in a bound book, specially kept for the purpose, according to the chronological order of the dates of their receipt and preserved by the gate keeper in safe custody. No new bound book shall be brought into use by the gate keeper unless the old one is handed over to the Upper Division Clerk for being preserved in the record room till such time as it is destroyed under the rules.

**46. Register for recording ingress and egress of articles.** — The gate-keeper shall in addition to the Gate register, maintain a register in Form VII for recording the ingress and egress of head loads and cart loads carried in or out the prison. Such register shall be placed every Monday before the Senior Jailor who shall check at random entries therein with the entries in the Gate register in order to see that it is maintained properly and all necessary entries are correctly made.

**47. Opening prison gates.** — (1) The gate-keeper shall see that on no occasion, both the gates (main gate and the inner gate of the prison) are unlocked simultaneously. On gate shall be kept necessarily locked before the other is opened:

Provided that where there are prisoners other than outfile of prisoners between the two gates, the main gate shall not be opened. On such occasions only the wicket gate shall be opened.

(2) Subject to the provision of sub-rule (1), the main gate of the prison shall be opened during the day time for any visitor and any prison official of and above the rank of Assistant Superintendent. On other occasions all activities shall be carried out through the wicket gates.

(3) The main gate shall not be opened at night except in case of emergency and all communications after lock-up shall be done through the wicket gate only.

(4) No prisoner shall be employed for work between the two main gates without first obtaining the specific sanction of the Superintendent, in writing.

**48. Embezzlement of property and admission of prohibited articles.** — The gate keeper shall prevent the embezzlement of prison property and the introduction of any prohibited article such as tobacco, opium, razors, knives, nails, money and letters into prison:

Provided that, drugs and medical or surgical appliances, with the authority of the Medical Officer in writing, and factory articles, raw materials, stores and tools, by an order in writing from a person official responsible for the same, may be admitted into a prison.

**49. Receipt to be taken for passing articles in stores.** — The gate keeper shall not allow any articles to pass in unless the receipt is signed by the official removing such articles inside to the stores.

**50. Search by gate-keeper.** — It shall be lawful for the gate-keeper for the purposes of the foregoing rules, to search all persons passing in or out of the prison except the members of the Board of Visitors for prison constituted under rule 3 of the Maharashtra Visitors of Prisons Rules, 1962, gazetted officers of the prison, Matron and such other persons who enter the prison with the permission of the Superintendent. The search of all persons including prisoners shall be carried out with due respect for decency and with as much consideration as possible.

**51. Search of exempted persons.** — If the gate-keeper has reason to believe that a person exempt from search is bringing any prohibited article into or out of the prison, such person shall, subject to the orders of the Superintendent and in his absence of the senior most officer of the prison, be searched by the Senior Jailor.

**52. Gate keeper to maintain Register.** — The gate-keeper shall keep in his own hand-writing Gate Register as in Form I, a continuous diary of all that happens at his post and shall enter therein the names of every person entering or leaving the prison, the total number and the register number of every gang of prisoners passing in and out, with the name of

the officer in charge and as complete and accurate a list as practicable of the articles taken in and out, and in each case the hour of entry or exit. This register shall be placed before the Superintendent every week for his checking and initials.

**53. Gate keeper to be responsible for custody of articles.**—The gate-keeper shall be responsible for the safe custody of articles mentioned below which shall be kept in the passage between the main gates and shall handover charge of the said articles to the Guard on duty at the gate on relief, namely:—

(1) such number of torches with 6 cell batteries in proper working condition, as may be authorised by the Superintendent with the approval of the Inspector General;

(2) a clock;

(3) a general key box with a lock fixed to the wall;

(4) keys of the womens section of the prison in a special box with glass doors;

(5) a stand desk for the gate registers and writing materials;

(6) iron chain;

(7) a board on which details of the population of the prison is written each morning;

(8) a list of visitors and moral lecturers appointed by the Government;

(9) a measure tape ( 16 metres),

(10) a telephone, (if provided); and

(11) a first-aid box.

## FORM No. I

## Gate Register

for the Year 19

Date hour and minute of opening gate and person or articles entering the Prison	Person or Articles entering the Prison	Date, hour and minute of the person or articles leaving the gate	Person or Articles leaving the Prison
1	2	3	4

## FORM No. II

[See Rule 13(6)]

## Prison for the year 196

Number and Date	Orders of Superintendent	Reports of Jailor etc. on Superintendent's order
1	2	3

## FORM No. III

## Stores Requisition and Receipt Book

Serial No.	Date of requisition	Supplier	Article	For what purpose	No. of quantity in hand on date of present entry	Monthly consumption	No. of quantity required	Initials of		No. of quantity supplied	Rate per unit	Value				Date of supply	Initials of		Page of Ledger No. 28	No. of Sub-Voucher	Initials Ledger clerk	Remarks
1	2	3	4	5	6	7	8	Jailor	Superintendent	11	12	Cash purchases	Credit purchases	Invoice supplies	16	Jailor	Superintendent	19	20	21	22	
					unit	unit	unit					Rs. P.	Rs. P.	Rs. P.	Rs. P.							

## FORM No. IV

**Note.**—The Superintendent of the Prison is empowered to grant receipts for money paid to the son for goods purchased from it; and no other receipts granted by any other Prison Official will be regarded as valid).

Prison Office, 196  
Received from the sum of Rs. ( )  
Bill No. of in full/part payment of 196  
Superintendent.

## Temporary Receipt

No. 15599  
Received Rs. 196  
from Jailor/s

15599

Prison Office, 196

Received from the sum of Rs. ( )  
Bill No. of in full/part payment of 196  
Superintendent.

## FORM No. V

Report Book of for Prison 196

Serial No.	Report	Orders of the Superintendent	Compliance report

FORM VII

**Head load and Cart load Register**

Serial No.	Date and hour of loading	Brief description of the load with details of quantity or number and destination where it is being sent	Name of the official in charge of the load	Designation and signature of the sender	Hour when the load was received by official concerned	Remarks about receipt and/or deficiencies if any noticed	Designation and signature of the receiving officer
1	2	3	4	5	6	7	8

FORM No. VIII  
(Rule 26)  
Lock-up Register for Prison 196

1. Circlewise details —	Men	Women	Total
Circle No. I			
Circle No. II			
Circle No. III			
Circle No. IV			
Circle No. IV			
Separate Cells			
Hospital			
Total	...	...	...
Received after lockup	...	...	...
Grand Total	...	...	...

2. Categorywise details

	Circle Nos.													
	I		II		III		IV		Hospital		Cells		Total	
	M	W	M	W	M	W	M	W	M	W	M	W	M	W
(1) Under Trial Prisons														
(2) Prisoners sentenced to S. I.														
(3) Prisoners sentenced to R. I.														
(4) Prisoners sentenced to imprisonment for life														
(5) Prisoners sentenced to death														
(6) Juveniles														
(7) Escapees														
(8) Habituals														
(9) Criminal — Psychotics														
(10) N. Ws.														
(11) C. Os.														
Total ...														
Received after lockup ...														
Grand Total ...														

Convict Class I			Convict Class II			Undertrials Class I			Undertrials Class II			Total		
Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total	Men	Women	Total

### 3. Summary —

- |                     |     |     |
|---------------------|-----|-----|
| 1. Opening balance  | ... | ... |
| 2. Admitted         | ... | ... |
| 3. Total            | ... | ... |
| 4. Sent to Hospital | ... | ... |
| 5. Released         | ... | ... |
| 6. Balance          | ... | ... |

4. Hour of lock up —

5. \*Certificate about —

- (1) Bars, Doors, Windows
- (2) Keys, Locks, etc. . . . .
- (3) Ladders . . . . .
- (4) Tools, Plants, etc. . . . .
- (5) Handing over charge  
the relieved and relieving officer . . . . .

\* Note. — These certificates should be recorded by the Jailor for the day in his own hand.

- |   |   |                        |               |
|---|---|------------------------|---------------|
| 6. Prison locked for the night at       | Officer for the day.  | Officer for the Night. | Senior Jailor |
| 7. Details of the staff on Night duty — | <div style="text-align: center;">Time</div> <hr/> <div style="display: flex; justify-content: space-between;"> <span>From</span> <span>To</span> </div> |                        |               |
| Main Gate.                              |   |                        |               |
| Guarding Staff                          | 1. Shri   |                        |               |
|   | 2. Shri   |                        |               |
|   | 3. Shri   |                        |               |

By order and in the name of the Lt. Governor  
of Goa, Daman and Diu.

R. L. Segel, Secretary to the Government.

Panaji, 5th February, 1969.

## Notification

LD/2/13/68-N-96-69

In exercise of the powers conferred by sub-section (1) of section 29 of the Prisoners Act, 1900 (III of 1900), the Lieutenant Governor of Goa, Daman and Diu hereby makes the following order, namely:—

1. **Short title.** — (1) 'This Order may be called the Removal of Prisoners Order, 1969.

(2) This order shall come into force on 1st day of June, 1969.

**2. Definitions.**—In this Order, unless the context requires otherwise, —

- (a) "Act" means the Prisoners Act, 1900;
- (b) "prisoner" means a prisoner referred to in sub-section (1) of section 29 of the Act;
- (c) "Superintendent" means the Superintendent of Prisons appointed under the Prisons Act, 1894.—

**3. Circumstances of removal.**—Prisoners may be removed from one prison to another prison in the Union territory of Goa, Daman and Diu for the following reasons, that is to say:—

(a) custody and treatment in a prison in accordance with the classification of prisons by the State Government;

- (b) attendance in court for the purpose of standing trial, giving evidence, and the like;
- (c) medical grounds;
- (d) humanitarian grounds, and in the interests of their rehabilitation;
- (e) post-release vigilance by the police;
- (f) providing essential services in prisons;
- (g) grounds of security, expediency or overcrowding in prisons; or
- (h) any other ground recorded in writing in that behalf.

**4. Superintendent to remove prisoners with sanction.**— (1) Subject to the provisions of this Order, no prisoner from one prison to another prison in the Union territory of Goa, Daman and Diu shall be removed by a Superintendent without previous sanction of the Inspector General of Prisons:

Provided that no such sanction shall be necessary —

- (a) in any case which in the opinion of the Superintendent is emergent;
- (b) in the following cases, that is to say:—
- (i) removal of prisoners according to classification of prisoners as per standing orders in force;

(ii) removal of prisoners required to give evidence, or to undergo trial for an offence in another State;

(iii) removal of police registered prisoners within the Union territory of Goa, Daman and Diu;

(iv) removal of prisoners on urgent medical grounds.

(2) In all cases falling under the proviso to sub-clause (1), the Superintendent shall immediately after the removal, report the same to the Inspector-General for approval.

*Explanation.* — Police registered prisoners referred to in proviso (b) (iii) in this clause, are those prisoners against whom the following order has been made and is in force: —

Order to notify residence under section 565 of the Code of Criminal Procedure, 1908.

**5. Removal of certain prisoners to Special Prison or Prison where habitual offenders are confined.** —

If in the opinion of the Superintendent any prisoner is of so depraved and vicious a character as to exercise an evil influence on other prisoners, the Superintendent shall refer the cases of removal of such prisoners to the Inspector-General for his orders.

**6. Removal on medical grounds.** — Where the Medical Officer is of the opinion that the removal of a sick prisoner to another prison is absolutely necessary to save his life and if such removal is likely to lead to his recovery, he shall submit a brief statement of the case to the Superintendent and point out the prison to which he considers the prisoner's removal is desirable. The Superintendent shall submit the recommendation to the Inspector-General who may issue necessary orders for the removal of the prisoner.

**7. Removal of prisoners sentenced to solitary confinement.** — Prisoners sentenced to solitary confinement shall not be removed to prisons where there are no solitary cells.

**8. Removal of convict officers.** — No convict officers of any grade shall be removed to another prison without the sanction of the Inspector-General.

**9. Restrictions on manner of removal of prisoners.** — Prisoners shall not, as far as possible, be removed so as to reach their destination on a Sunday or other prison holiday, or before the lock up of the prison.

**10. District Magistrate and Inspector General of Police, to be informed of certain removals beforehand.** — Where the removal of any prisoner is likely to attract public attention, the Superintendent shall send an advance intimation of such removal to the District Magistrate and the Inspector-General of Police.

**11. Extension of special facilities to prisoners before removal.** — The Superintendent may extend special facilities for writing welfare letters to any prisoner before removing him to another prison.

**12. Procedure before removal.** — (1) No prisoner shall be removed without first ascertaining whether

accommodation is available at the receiving prison to which he is to be removed.

(2) The Superintendent of removing prison shall inform the Superintendent of the receiving prison, of the date of departure and the probable date and time of arrival of the removal prisoner.

**13. Details about prisoners to be supplied beforehand to Police.** — Full details of the following classes of prisoners shall always be supplied beforehand to the Police by the Superintendent of the removing prison: —

(a) Dangerous prisoners in the party of long-termers;

(b) Prisoners sentenced under section 224 of the Indian Penal Code and those known to have attempted to escape or having a tendency to escape;

(c) Prisoners with bad record in the prison and who are being sent to Special Prison as dangerous criminals;

(d) Prisoners who are members of a gang and are removed as such; and

(e) Prisoners of any one of the above categories among a party of prisoners being removed to any prison.

**14. Responsibility of officer in charge of escort.** —

(1) All prisoners prior to their removal shall be carefully searched and their fetters, if any, shall be examined in the presence of the officer in charge of the escort, who shall then take over the charge of the prisoners with a list of property and articles, if any. The officer in charge of the escort shall then be entirely responsible for the safe custody of prisoners till their admission to the respective prisons. The prisoners shall be handed over to the Senior Jailor of the receiving prison, who shall give the officer-in-charge of the escort a receipt for his having received the prisoners as well as the property.

(2) The officer in charge of the escort shall see that the different types of prisoners while in transit do not mix with each other, and that the prisoners do not —

(i) communicate with outsiders;

(ii) receive forbidden articles including cash from their friends and relatives while in transit;

(iii) handle any cash or jewellery or other private property.

(3) Any unauthorised cash, jewellery or other private property possessed by the prisoners at the receiving prison shall be forfeited to the State Government.

**15. Incapacitated prisoners to be kept in hospitals for treatment.** — When a prisoner becomes ill in transit and is unable to continue his journey, he shall be taken by the officer in charge of the escort to the nearest hospital or lock up for treatment by a Medical Officer, and a report of the circumstances shall be made to the Superintendent of the Prison to which the prisoner was being removed.

**16. Escape of prisoners on route.** — Where any prisoner escapes during transit, intimation shall at once be given by the officer in charge of the escort to the authorities of the nearest police station to enable them to take for the recapture of the prisoner.



The Superintendent of the prison to which the prisoner was being taken and of the removing prison to which the prisoner was being taken and of the removing prison shall also be informed by the Police of the escape, and the latter shall take the prescribed measures for the prisoner's capture and also forward a detailed report to the Inspector-General. On recapture, the prisoner shall be sent to the prison to which he was being removed before escape.

**17. Enquiry to be held in case of discrepancy.** — If it is found that there is any discrepancy in the cash, or jewellery or other property delivered at the prison where the prisoner is removed, immediate notice of the same shall be given by the Superintendent of that prison to the Superintendent of the removing prison who shall institute an inquiry into the matter.

**18. Removal of prisoners from and to prisons where epidemic etc. prevail.** — (1) No Superintendent of a prison in which an epidemic or infectious disease prevails or where there has been a case of such disease or any unusual sickness, shall receive any prisoner on removal from another prison in the Union territory, nor shall he remove any prisoner from that prison to another until twenty-one days have elapsed from the date on which such epidemic, infectious disease or unusual sickness ceased to exist.

(2) If any prisoner is removed from any prison in which there has recently been infectious disease or unusual sickness, he shall not be received into any other prison until he has been examined by the Medical Officer who shall decide the necessary period of his quarantine. If the Medical Officer considers it advisable that the prisoner should not be admitted into the prison, special provision for his accommodation outside the prison shall be made and the circumstances reported to the Inspector General of Prisons for the orders of the State Government.

(3) If the epidemic or the infectious disease or unusual sickness is actually prevailing in the village, town, or city where the prison is situated (though not in the prison itself), the Superintendent shall report the fact (giving all details) to the Inspector General for orders in the matter of removal of prisoners.

**19. Death of prisoner while in transit.** — Where a prisoner dies while in transit from one prison to another, the officer in charge of the escort shall at once report the circumstances to the nearest Magistrate, who shall enquire into the case and forward his report to the Inspector General of Prisons direct. The officer in charge of the escort shall then arrange for the disposal of the dead body. The Superintendent of the receiving prison shall inform the relatives of the deceased prisoner regarding the prisoner's death. The fact of death shall be entered in the relevant register of the removing prison.

**20. Grant of travelling allowance to prisoners on removal.** — The prisoners on removal shall be provided with travelling allowance in the following scale:—

*By Rail —*

- (a) Class I Prisoners ... Second Class.
- Class II Prisoners ... Third Class.

*By Sea —*

- (b) Class I Prisoners ... Upper Class if not available Second Class.
- Class II Prisoners ... Third Class.

*By Road —*

- (b) If Police vans are not available, and the prisoners are to be conveyed by Transport buses ... Bus fares shall be paid.

**21. Medical Officer to certify fitness of a prisoner to travel before his removal.** — (1) On the day previous to the removal of the prisoners, the Medical Officer shall give a certificate that the prisoners are in a fit state of travel and that they are free from any illness likely to render them dangerous to others. No prisoner, who is not fit to travel, shall be sent.

(2) The Medical Officer shall see that prisoners who are sick are provided with proper diet for the journey.

**22. Requisition for travel to be signed by the Superintendent.** — Requisition for travel by Rail, steamer or Transport buses shall be signed by the Superintendent, and, in his absence, by the Senior Jailor who shall place the counterfoil of the requisition before the Superintendent for his countersignature.

**23. Documents to be sent along with prisoners on their removal from one prison to another.** — (1) When prisoners are removed from one prison to another, the Superintendent of the removing prison shall send to the Superintendent of the receiving prison their history tickets, warrants and property including jewellery as also the following forms duly filled in:—

- (a) Nominal roll and descriptive roll and other particulars, as in Form A;
- (b) List of warrants, orders on appeal and other connected papers, as in Form B;
- (c) List of private property, as in Form C;
- (d) List of Government property, as in Form D; and
- (e) Certificate of receipt (cash to be entered in Form E).

(2) Private clothing shall be worn by prisoners at the time of their removal from one prison to another, and the surplus private clothing, if any, shall be got sewn in bundles which shall be carried by the prisoners themselves.

(3) If a prisoner's private clothing has been destroyed or otherwise disposed of, the prison authorities shall provide him, at the expense of Government, with such suitable clothing as is issued to release prisoners who have no clothing of their own.

(4) Documents and jewellery shall be made up into one or more secure parcels which shall be sealed and handed over to the officer in charge of the escort.

*Note.* — (1) Refusal on the part of prisoners to carry their private effects constitutes a prison offence.

ce, unless the property is such as cannot be reasonably carried by the prisoner, in which case it shall be sent at Government cost.

(2) The fact whether figure impressions have or have not been taken at the removing prison, shall be invariably noted in column 8 or Form 103.

**24. Responsibility of the Medical Officer and the Senior Jailor.**— It shall be the responsibility of the responsibility of the Medical Officer to ensure that before removal of any prisoner all hospital entries are made in the History Ticket of the prisoner, and of the Senior Jailor to ensure that the other forms are duly filled in and that the History Ticket is duly completed in every respect.

**25. Total amount of remission to be endorsed on the warrant.**— (1) The total amount of remission to the credit of every removed prisoner up to the end of the preceding month shall be endorsed on the warrant and entered on the prisoners' History Ticket. The entries shall be signed by the Senior Jailor.

(2) The Senior Jailor of the removing prison shall be responsible for supplying the above information correctly.

**26. Superintendent of removing prison to send notices, etc. to the receiving prison.**— The Superintendent of the prison from which a prisoner is removed shall immediately send to the Superintendent of the receiving prison, by registered post, any notice which may be received regarding the annualment or modification, if any, of the prisoner's sentence on appeal, and any warrant received from a court after correction or for an additional sentence.

**27. Action when appeal of prisoner is not decided.**— If a prisoner, whose appeal is not decided, or who has been committed to a prison in default of payment of fine or in default of furnishing security, is removed to a prison other than that specified in the warrant, the Superintendent of the removing prison shall give intimation thereof to the sentencing Court.

**28. Superintendent of removing prison to furnish all facts about prisoners.**— In the case of removal of prisoners on disciplinary grounds, all facts regarding the behaviour of the prisoner, his punishment record, his response to prison treatment and his complete history shall be furnished by the Superintendent of the removing prison to the Superintendent of the receiving prison.

FORM A

Nominal and Descriptive Roll of Prisoners removed from the Prison to the ... Prison on the day of 196 , under authority from

No. , dated 196 .

Serial No.	Number of Register	Name of Prisoner and father's or husband's name	Caste, Race or Tribe	Religion	Age on sentence and height	Measure-ment, inches	Finger im-pressions taken or not	Description of Convict especially size and descrip-tion of scars or indelible marks, with their exact position	Native of what			Previous occupation	Able to read and write or able to read only or illiterate	Remarks
									City or Village	Taluka	District			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15

Note. — The undernoted papers accompany this Nominal Roll.

- B — List of Warrants and papers.
- C — List of Private Property.
- D — List of Government Clothing and other property to be returned to removing Prison.
- E — Certificates of receiving Prison.

Office:

Dated 196 . Jailor, Superintendent,

FORM B

List of Warrants and Papers sent with the under mentioned Prisoners, removed from the Prison to the Prison under Orders from the Jail

No.	Name of Prisoner and father's or Husband's name (Names of females to be entered in red ink)	Number of warrants	Number or original orders on appeal	Number and nature of other papers that may be sent
1	2	3	4	5

Office:

Dated 196 . Superintendent.

FORM C

List of Private Property belonging to, and sent with, the undermentioned Prisoners removed from the Prison to the Prison under orders from the Jail

No.	Name of Prisoner and father's or Husband's name (Name of Females to be entered in red ink)	Description and estimated Value of property excluding Cash	Amount of Cash
1	2	3	4

Office:

Dated 196 . Jailor, Superintendent.

